



Public Meetings Law Changes: A Resource for Board Secretaries

Oregon's Public Meetings Law (PML) changed due to House Bill 2805 (2023) which took effect January 1, 2024, administrative rules adopted by the Oregon Government Ethics Commission (OGEC) effective October 1, 2024, and Senate Bill 1502 (2024), which takes effect January 1, 2025. OSBA prepared a resource for members generally on these changes available [here](#). This resource specifically discusses some aspects of the Public Meetings Law changes that impact the work of board secretaries:

All public meetings law requirements apply to work sessions or “workshop” sessions.

Even if the purpose of a meeting is for the board to conduct an informal work session, board meetings should occur at a location within the district's geographic boundaries and the district should meet all requirements for providing notice, allowing members of the public to attend remotely, and maintaining minutes.

Notice of a public meeting must contain the following:

- 1) time, date and location of the meeting;
- 2) electronic link or telephone access information for attendance by remote means;
- 3) agenda or list of principal subjects anticipated to be considered at the meeting;
- 4) name, telephone number and email address of a person to contact to request an interpreter or other communication aids; and
- 5) if the meeting will include an executive session, the statutory citation authorizing the executive session and a general description (e.g. “ORS 192.660(2)(d) – To conduct discussions with labor negotiators”).

There are now more specific timing requirements for notices of board meetings.

Notice of a regular meeting should be provided with as much advance notice as reasonably possible, but no less than 48 hours advance notice. A special meeting may still be held with at least 24 hours' meeting notice.

Beginning January 1, 2025, most school boards must post video recordings of their meetings within seven days of the meeting.

Oregon requires all school districts with an ADM of more than 50 students, education service districts, and community colleges to make a video recording of all meetings open to the public and post them on their website within seven days. Executive session recordings do not need to be posted, and if the meeting facility lacks broadband internet access, an audio recording is sufficient.

School boards should not use video recordings as a replacement for written minutes of a board meeting unless they have received a waiver from the Oregon Secretary of State's Archives Division to keep meeting minutes in an electronic video format.

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Votes of the board must be recorded by name in the minutes and announced during the meeting if done by written ballot.

The new rules clarify that all board actions by vote must be conducted publicly. Secret ballots are prohibited and if the board votes by written ballot, the name and vote must be announced during a public meeting. However, board votes on a student expulsion can occur during an executive session.

Board members can meet through serial communications or the use of an intermediary, but such a meeting is in violation of Public Meetings Law.

- Be mindful that email chains, text message group chats, or discussions on social media involving a quorum or more of board members could be board meetings in violation of public meetings law. There are exceptions for communications which deal only with scheduling or other similar administrative matters.
- District staff should avoid facilitating communications among a quorum of school board members about matters the board will or may deliberate and decide on.

Schools should include information on their website about how it will receive grievances.

Individuals who believe a governing body has violated Oregon public meeting laws can submit a grievance to the governing body or file a lawsuit to compel the district to comply with the law. The new rules require districts to post the name and contact information for the person to whom a grievance may be submitted and the hours during which an in-person grievance will be accepted on the district website. If no person is designated to receive grievances, individuals may file a grievance with the chief administrative officer (usually the superintendent or an executive director in the case of a charter school) or the board chair.

Ensure the school responds to Public Meetings Law grievances within 21 calendar days and that a copy of the response is sent to OGEC.

If an individual submits a grievance, the school must respond within 21 calendar days from the date the grievance is received. A copy of the response sent to the complainant must also be sent to OGEC.

Additional Resources

[Oregon Administrative Rules Chapter 199, Division 50 – Public Meetings Law](#)

[OGEC - Public Meetings Law](#)

[Oregon Attorney General’s Public Records and Meetings Manual 2019](#)

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